

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DAVID BARLOW; and BARBARA A.)
DONHAM,)
)
)
Plaintiffs,)
) Civil No. 04-3070-CO
v.)
)
UNITED STATES; et al.,)
)
Defendants.)
)

Magistrate Judge John P. Cooney filed Findings and Recommendation on January 26, 2005, in the above entitled case. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Plaintiffs have timely filed objections. I have, therefore, given de novo review of Magistrate Judge Cooney's rulings.

I find no error. Accordingly, I ADOPT Magistrate Judge Cooney's Findings and Recommendation filed January 26, 2005, in its entirety. Defendants' motion for summary judgment (#3) is granted.

IT IS SO ORDERED.

DATED this 13th day of April, 2005.

Mark L. Hagan
UNITED STATES DISTRICT JUDGE